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**REMARKS**

First considering the Examiner's objections to the specification, the Examiner has objected to certain informalities in the specification at the start of the claims and to certain informalities, including spelling errors, in the Abstract of the disclosure.

In response, the Applicant has amended the specification and abstract herein above to address and overcome all grounds for objection to the specification and abstract identified by the Examiner. It is the belief of the Applicant that these amendments meet and overcome all of the Examiner's grounds for objection to the specification and the abstract, and the Applicant respectfully requests that all objections to the specification and the abstract be reconsidered and withdrawn.

Next considering the claims, claims 10-18 are presently pending in the Application and the Examiner has rejected claims 10-18.

More specifically, the Examiner has rejected claims 10-15 under 35 U.S.C. § 102(b) and (e) as being clearly anticipated by Murase or Jurgetz et al., claims 16-17 under 35 U.S.C. § 103(a) as being unpatentable over Creighton et al. in view of McConkey et al., and claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Creighton et al. in view of McConkey et al. and further in view of either Murase or Jurgetz et al. The Applicant acknowledges and respectfully traverses the rejections in view of the following remarks.

In response to the rejections of the claims, the Applicant has canceled claims 11, 12 and 16-18, without prejudice or disclaimer of the subject matter therein, has amended claims 10 and 13, and has entered new claims 19-25.

Considering the present invention as recited in amended independent claim 10, which has been amended to more clearly and explicitly recite the present invention and from which claims 13-15 and 19-25 are dependent claim 10 recites a method for forming a coating comprised of two layers on a substrate. According to the present invention, the coating method of the present invention comprises the steps of laying down two separate, successive layers of powder on a substrate, one layer upon the other and each layer being separate and distinct

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from the other. As recited in claim 10, the powder of the first layer laid down has a higher cure rate than the powder of the second layer and the powder of the second layer is deposited on the powder of the first layer as a separate layer. Then, and according to the present invention as recited in claim 10, heat is applied to the two layers together, while the layers are both in the powder form, to melt and fuse the two layers into two respective coatings that are bonded together and to the substrate.

In contrast from the method of the present invention as recited in amended claim 10, Murase expressly and explicitly teaches that two components I and II should be mixed together while both are in powder form to form a single powder that is the mixture of the two powders I and II, that the resulting single powder should be deposited on a substrate as a single layer of powder, and that the single layer of mixed powder should then be heated to cure the single layer of powder (see, for example, Example 1, column 9, line 67 to column 10, line 31, and corresponding passages of Examples 2 to 11).

In summary, therefore, the present invention is fully distinguished over and from the teachings and suggestions of Murase because the present invention employs two powders which remain separate and distinct from one another through the process, rather than being mixed together to form a single powder. The two separate powders of the present invention are laid down on the substrate as separate and distinct layers rather than as a single layer of mixed powders. As a result, for example, and in further distinction of the present invention over and from the teachings and suggestions of Murase, the two separate and distinct powders of the present invention, by remaining separate and distinct from one another during the process, will result in powders and layers having different cure rates, whereas the method taught by Murase, by mixing the two powders together to form a single powder that is laid on the substrate as a single layer, will result in a single homogenous powder and a single homogenous layer having but a single, common cure rate.

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The method taught by Murase is thereby fundamentally different from that of the present invention and will provide a fundamentally different result from the method of the present invention.

It is, therefore, the belief and position of the Applicant that the present invention as recited in amended claim 10 is fully and patentably distinguished over and from the teachings and suggestions of Murase under the requirements and provisions not only of 35 U.S.C. § 102 but also under the requirements and provisions of 35 U.S.C. § 103.

The Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw all rejections of the claims over Murase under either of 35 U.S.C. § 102 or 35 U.S.C. § 103.

Next considering Jurgetz et al., such as at column 10, lines 16-53, Jurgentz et al. teaches a method for forming a multilayer coating on a substrate in which a base coat, or layer, is first formed on the substrate by depositing the base coat on the substrate and heating or air drying the base coat sufficiently to form a base coat film on the substrate. The heating or the air drying of the base coat is insufficient to fully cure the base coat, but is sufficient to form a barrier film on the base coat. by a layer of powder is deposited on a base coat. A powder forming the second layer of the coating is then deposited on the film formed on the base coat, and heat is applied to base the second layer powder into a fully cured coating, with the curing of the base coat being completed during the curing of the second layer. Jurgetz indicates that further layers of powder may be deposited over the second layer of powder, but each successive layer of powder is fully heat cured before a subsequent layer of powder is added. Jurgetz et al. does not teach or even suggest or hint that any of the subsequent layers of powder may be deposited on a preceding layer before the preceding layer is fully heat cured, so that there is not teaching, suggestion or hint by Jurgetz et al. of having more than one layer at a time in powder form or of depositing a layer of powder on a preceding layer of powder. Instead, each preceding layer is always fully cured into a non-powder cured form before any subsequent layer of powder is deposited on the preceding layer.

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The present invention as recited in claim 10 is, therefore, fundamentally distinguished over the from the teachings and suggestions of Jurgetz et al. because Jurgetz et al. does not teach or even suggest laying down two separate and clearly distinguished and superimposed layers in powder form on a substrate, and then curing the two layers together to form a coating.

It is, therefore, the belief and position of the Applicant that the present invention as recited in amended claim 10 is fully and patentably distinguished over and from the teachings and suggestions of Jurgetz et al. under the requirements and provisions not only of 35 U.S.C. § 102 but also under the requirements and provisions of 35 U.S.C. § 103.

In addition, and because the present invention as recited in claim 10 is fully distinguished over both Murase and Jurgetz et al. for the same reasons, it is the belief and position of the Applicant that the present invention as recited in amended claim 10 is fully and patentably distinguished over and from the teachings and suggestions of the combination of Murase and Jurgetz et al. under the requirements and provisions of both 35 U.S.C. § 102 and 35 U.S.C. § 103.

The Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw all rejections of the claims over Jurgetz et al. under either of 35 U.S.C. § 102 or 35 U.S.C. § 103.

The Applicant also respectfully requests that the Examiner reconsider and withdraw all rejections of the claims over any combination of Murase and Jurgetz et al. under either of 35 U.S.C. § 102 or 35 U.S.C. § 103.

Next considering the rejections of claims under 35 U.S.C. § 103 over Creighton et al. In view of McConkey et al., Creighton et al. describes a method for forming a coating on a substrate carrier by depositing a first layer of resin in liquid form on the substrate carrier and then depositing a second layer of resin in solid particulate form (column 4, lines 32-56) on the first layer of liquid resin. The present invention as recited in the claims is thereby fundamentally distinguished over and from the teachings and suggestions of Creighton et al. because Creighton et al. does not teach or even suggest the deposition of any layer in a powder form,

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and most specifically does not teach or even suggest the depositing of first and second layers as separate layers wherein both layers are in powder form.

McConkey et al. teaches a method for forming a coating by depositing a first layer of thermosetting powder onto a substrate and fusing the first layer of powder into a gelled state and then depositing a second layer of the thermosetting powder onto the first gelled layer of powder layer (column 3, line 58 to column 4, line 10). Thus, according to this teaching there is no deposition of powder on powder since the second layer is deposited after heat has been applied to fuse the first layer to a gelled state.

The present invention as recited in the claims is thereby fundamentally distinguished over and from the teachings and suggestions of McConkey et al. because McConkey et al. does not teach or even suggest the depositing of first and second layers as separate, distinct layers wherein both layers are in powder form. Instead, in McConkey et al. the second layer is not deposited until after the first layer has been cured into a gelled form, so that there is only a depositing of a powder layer, that is, the second layer, onto a gelled layer, that is, the first cured layer, and there is no teaching or suggestion of depositing a powder layer onto a powder layer. Also, it should be noted that in McConkey et al. the two layers are comprised of the same material while in the present invention the two layers are different and distinct from one another.

Lastly, considering the combination of Creighton et al. in view of McConkey et al., it will be noted that neither of Creighton et al. or McConkey et al. teach or suggest the deposition of two successive layers of powdered material on a substrate as separate and distinct layer, or that the layers should be and should remain in powdered form until the two layers are cured together and in the same operation. As discussed above, Creighton et al. uses a solid particulate layer over a liquid layer and McConkey et al. cures the first layer into a gel before adding the second layer. No combination of Creighton et al. in view of McConkey et al. can lead to the deposition of two successive layers of powdered material on a substrate as separate and distinct layer, or a together and in the same operation. Any combination of Creighton et al. in view of McConkey et al. will result in a first layer that is of liquid or gel form, and of a process in which

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the first layer is processed, in an operation such as curing, before the second layer is even added.

It is, therefore, the belief and position of the Applicant that the present invention as recited in the claims is fully and patentably distinguished over and from the teachings and suggestions of Creighton et al., of McConkey et al. and of any combination of Creighton et al. in view of McConkey et al. under the requirements and provisions of 35 U.S.C. § 103.

The Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw all rejections of the claims over Creighton et al., of McConkey et al. and of any combination of Creighton et al. in view of McConkey et al. under 35 U.S.C. § 103.

Lastly, it will be noted that in the claims as amended herein above claims 13-15 and 19-25 are dependent directly or indirectly on claim 10 which, as discussed above, is fully and patentably distinguished over and from the cited prior art. Claims 13-15 and 19-25 thereby inherit and incorporate all recitations and limitations of claim 10, and of any intervening claims, by dependency therefrom, and are thereby completely and patentably distinguished over and from the cited prior art for the same reasons that claim 10 is distinguished over and from the prior art. The Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw all rejections and potential rejections of claims 13-15 and 19-25, and the allowance of claims 10, 13-15 and 19-25.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until all allowable subject matter is indicated for this case.

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Respectfully submitted,



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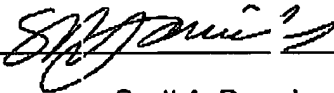
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